



Local concerns for unauthorized dam in Uinta County (UNCLASSIFIED)

Fernandes, Jesse IWR to: Kenneth Champagne

12/21/2012 10:44 AM

Cc: "LaGrone, David L NWO", "Little, Kevin C NWO", "Bilodeau, Matthew A NWO"

History: This message has been replied to.

1 attachment



Uinta County letter to WYSEO.PDF

Classification: UNCLASSIFIED

Caveats: NONE

Hello Ken,

Please find attached a letter dated November 13, 2012, from Kent Williams of the Uinta County Planning Office to Patrick Tyrrell, the Wyoming State Engineer. This letter is in reference to the Andrew Johnson unauthorized dam project, which I emailed you about on December 14.

In the letter, the County questions whether it was prudent for the State Engineers Office to permit the project. In particular, the County expresses concern that the project was permitted as a stock reservoir, when it was likely a recreational/aesthetic project.

The County is also troubled that no public input was sought during the permitting process. Noting that the project may have negative effects on adjacent landowners and a nearby county road, the County explains that it, as well as landowners adjacent to the project, would have appreciated an opportunity to comment.

Please consider this letter, and the contentious nature of this project, as you review the referral package.

Regards,

Jesse

Jesse Fernandes  
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U.S. Army Corps of Engineers  
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Cheyenne, Wyoming 82009  
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Classification: UNCLASSIFIED

Caveats: NONE



# UINTA COUNTY

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## Planning Office

Kent Williams, County Planner

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Patrick T. Tyrrell, Wyoming State Engineer  
Wyoming State Engineer's Office  
122 West 25<sup>th</sup> Street  
Herschler Building, 4<sup>th</sup> Floor East  
Cheyenne, Wyoming 82002

November 13, 2012

RE: Johnson Stock Reservoir, Permit #19468

Dear Mr. Tyrrell:

Last week at the regular meeting of the Board of Uinta County Commissioner's, they were advised of some concerns with the above referenced reservoir. It would appear from the permit that this reservoir has been constructed under the pretense of providing water to livestock or wildlife although this is an eight (8) acre, residential subdivision.

While Uinta County is very protective of the rights of individual property owners, we never the less have some concerns for the construction of this particular reservoir as it abuts a county road as well as poses a serious threat to an adjacent property owners access especially in times of winter snow drifting and spring run-off.

We understand that Wyoming State Law may allow for this construction, and we certainly support such efforts when they benefit agricultural and wildlife resources without negatively impacting neighboring properties. This is perhaps not the case in this regard as this is most likely a recreational or aesthetic project.

We understand that no input was sought for from neighboring land owners, which would have included Uinta County. No Public Hearing was held where those affected could have voiced concerns or received answers to questions or perhaps offered support for the project. We understand further that no site visit was made by your office as well. We understand limitations where personnel are concerned, however our office would have been more than willing to visit the location and supply you with information useful to the permitting process.

Surely, these concerns are somewhat of an anomaly, but still they are concerns none the less and neighbors are at odds with each other now over impacts to property owners rights on both sides. While the law may allow for the issuance of this permit, there seems to be no law that protects the rights of others who are impacted negatively except to pursue civil action.

Our question is simply, was it prudent to issue this permit? Perhaps there are some cases where public hearings and public involvement serve to relieve concerns rather than create opportunity for litigation. And we would suppose lend itself to better relations between neighbors.

Most sincerely,

A handwritten signature in dark ink, appearing to read 'Kent Williams', is written over a horizontal line.

Kent Williams,  
Uinta County Planning Office

cc: Board of Uinta County Commissioners